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that the Captain of the Port, Puget Sound (COTP), is given advance notice of those activities by the EPA.

(3) Nothing in this section is intended to conflict with treaty fishing rights of the Muckleshoot and Suquamish tribes, and they are not restricted from any type of fishing in the described area.

(c) *Waivers.* Upon written request stating the need and proposed conditions of the waiver, and any proposed precautionary measures, the COTP may authorize a waiver from this section if the COTP determines that the activity for which the waiver is sought can take place without undue risk to the remediation efforts described in paragraph (b)(1) of this section. The COTP will consult with EPA in making this determination when necessary and practicable.

[USCG-2010-1145, 77 FR 21435, Apr. 10, 2012]

§ 165.1337 Regulated Navigation Area, Zidell Waterfront Property, Willamette River, OR.

(a) *Regulated navigation area.* The following area is a regulated navigation area: All waters within the area bounded by the following points: 45°29'55.12" N/122°40'2.19" W; thence continuing to 45°29'55.14" N/122°39'59.36" W; thence continuing to 45°29'56.30" N/122°39'59.09" W; thence continuing to 45°29'57.51" N/122°39'59.64" W; thence continuing to 45°29'58.72" N/122°39'59.64" W; thence continuing to 45°30'0.52" N/122°39'59.94" W; thence continuing to 45°30'1.95" N/122°40'0.46" W; thence continuing to 45°30'3.44" N/122°40'0.78" W; thence continuing to 45°30' 4.87" N/122°40' 0.95" W; thence continuing to 45°30'7.33" N/122°40'1.80" W; thence continuing to 45°30'8.11" N/122°40'2.69" W; thence continuing to 45°30'8.83" N/122°40'3.81" W; thence continuing to 45°30'13.06" N/122°40'5.39" W; thence continuing to 45°30'15.30" N/122°40'6.93" W; thence continuing to 45°30'17.78" N/122°40'8.16" W; thence continuing to 45°30'20.53" N/122°40'9.07" W; thence continuing to 45°30'20.90" N/122°40'11.52" W; thence continuing to 45°30'24.04" N/122°40'12.53" W; thence continuing to 45°30'23.79" N/122°40'14.87" W; thence continuing along the shoreline to 45°29'55.12" N/122°40'2.19" W. Geographically the regulated navigation area covers all waters adjacent

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to the Zidell Waterfront Property on the Willamette River extending from the west bank of the river out 200 to 400 feet into the river depending on the exact location between approximate river mile 14.2 near the Ross Island Bridge and approximate river mile 13.5 near the Marquam Bridge.

(b) *Regulations.* All vessels are prohibited from anchoring, dragging, dredging, or trawling in the regulated navigation area established by this section. See 33 CFR part 165, subpart B, for additional information and requirements.

[USCG-2011-0254, 77 FR 19546, Apr. 2, 2012]

FOURTEENTH COAST GUARD DISTRICT

§ 165.1401 Apra Harbor, Guam—safety zones.

(a) The following is designated as Safety Zone A—The waters of the Pacific Ocean and Apra Outer Harbor encompassed within an arc of 725 yards radius centered at the center of Wharf H. (Located at 13°27'47" N and 144°39'01.9" E. Based on World Geodetic System 1984 Datum)

(b) The following is designated Safety Zone B—The waters of Apra Outer Harbor encompassed within an arc of 680 yards radius centered at the center of Naval Wharf Kilo. (Located at 13°26'43" N, 144°37'46.7" E. Based on World Geodetic system 1984 Datum)

(c) *Special regulations.* (1) Section 165.23 does not apply to Safety Zone A and/or Safety Zone B, except when Wharf H and/or Naval Wharf Kilo, or a vessel berthed at Wharf H and/or Naval Wharf Kilo, is displaying a red (BRAVO) flag by day or a red light by night.

(2) In accordance with the general regulations in 165.23 of this part, entry into these zones is prohibited unless authorized by the Captain of the Port, Guam.

[COTP Guam Reg. 89-001, 55 FR 18725, May 4, 1990]

§ 165.1402 Apra Outer Harbor, Guam—regulated navigation area.

(a) The following is a regulated navigation area—The waters of the Pacific Ocean and Apra Outer Harbor enclosed by a line beginning at latitude 13°26'47" N, longitude 144°35'07" E; thence to Spanish Rocks at latitude 13°27'09.5" N,

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longitude 144°37'20.6" E; thence along the shoreline of Apra Outer Harbor to latitude 13°26'28.1" N, longitude 144°39'52.5" E (the northwest corner of Polaris Point); thence to latitude 13°26'40.2" N, longitude 144°39'28.1" E; thence to latitude 13°26'32.1" N, longitude 144°39'02.8" E; thence along the shoreline of Apra Outer Harbor to Orote Point at latitude 13°26'42" N, longitude 144°36'58.5" E; thence to the beginning. (Based on WGS 84 Datum)

(b) Regulations:

(1) Except for public vessels of the United States, vessels may not enter Apra Outer Harbor without permission of the Captain of the Port if they have on board more than 25 tons of high explosives.

(2) Except for vessels not more than 65 feet in length, towboats or tugs without tows, no vessel may pass another vessel in the vicinity of the Outer Harbor entrance.

(3) Vessels over 100 gross tons shall:

(i) Steady on the entrance range at least 2 miles west of the entrance when approaching Apra Outer Harbor and;

(ii) [Reserved]

(iii) Steady on the range when departing Apra Outer Harbor.

(4) Vessels may not anchor in the fairway. The fairway is the area within 375 feet on either side of a line beginning at latitude 13°26'47" N, longitude 144°35'07" E; thence to latitude 13°27'14.1" N, longitude 144°39'14.4" E; thence to latitude 13°26'35.2" N, longitude 144°39'46.4" E; thence to latitude 13°26'30.8" N, longitude 144°39'44.4" E. (Based on WGS 84 Datum)

(5) Vessels over 100 gross tons may not proceed at a speed exceeding 12 knots within the harbor.

(6) No vessel may leave Apra Outer Harbor until any inbound vessel over 65 feet in length has cleared the Outer Harbor Entrance.

[CGD 79-034, 47 FR 29660, July 8, 1982, as amended by CGD 96-026, 61 FR 33669, June 28, 1996; USCG-1998-3799, 63 FR 35533, June 30, 1998]

§ 165.1403 Security Zones; Tinian, Commonwealth of the Northern Mariana Islands.

(a) *Location.* The following areas are security zones:

(1) The waters of the Pacific Ocean off Tinian between 14°59'04.9" N, 145°34'58.6" E to 14°59'20.1" N, 145°35'41.5" E to 14°59'09.8" N, 145°36'02.1" E to 14°57'49.3" N, 145°36'28.7" E to 14°57'29.1" N, 145°35'31.1" E and back to 14°59'04.9" N, 145°34'58.6" E. This zone will be enforced when one, or more, of the Maritime Preposition Ships is in the zone or moored at Mooring A located at 14°58'57.0" N and 145°35'40.8" E or Mooring B located at 14°58'15.9" N, 145°35'54.8" E.

(2) Additionally, a 50-yard security zone in all directions around Moorings A and B will be enforced when no vessels are moored thereto but mooring balls are anchored and on station.

NOTE TO § 165.1403(a): All positions of latitude and longitude are from International Spheroid, Astro Pier 1944 (Saipan) Datum (NOAA Chart 81071).

(b) *Regulations.* (1) In accordance with general regulations in § 165.33 of this part, entry into this security zone is prohibited unless authorized by the Captain of the Port.

[COTP Honolulu Reg. 86-08, 51 FR 42220, Nov. 24, 1986, as amended by USCG-2001-9286, 66 FR 33642, June 25, 2001; COTP Guam 07-005, 72 FR 65460, Nov. 21, 2007]

§ 165.1404 Apra Harbor, Guam—security zone.

(a) The following is designated as Security Zone C—The waters of Apra Outer Harbor, Guam surrounding Naval Mooring Buoy No. 702 (Located at 13°27'30.1" N and 144°38'12.9" E. Based on World Geodetic System 1984 Datum) and the Maritime Prepositioning ships moored thereto. The security zone will extend 100 yards in all directions around the vessel and its mooring. Additionally, a 50 yard security zone will remain in effect in all directions around buoy No. 702 when no vessel is moored thereto.

(b) In accordance with the general regulations in § 165.33 of this part, entry into Security Zone C is prohibited unless authorized by the Captain of the Port, Guam.

[COTP Guam Reg. 89-001, 55 FR 18725, May 4, 1990]